

P23955.A05



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

Applicant : Jae-Ryong BUM

Group Art Unit : 2641

Serial No : 10/617,763

Examiner :

Filed : July 14, 2003

For : HOST PROCESSING DEVICE USING EXTERNAL STORAGE MEDIUM

**PETITION EXPUNGE INFORMATION UNINTENTIONALLY SUBMITTED IN
APPLICATION
UNDER 37 C.F.R. § 1.59(b) & MPEP 724.05(II)**

Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

Applicant respectfully petitions the Director of Technology Center 2600 to expunge information unintentionally submitted in an Information Disclosure Statement (IDS) on October 14, 2003 in the present application under 37 C.F.R. § 1.59(b) and MPEP 724.05(II).

More specifically, Applicant filed an Information Disclosure Statement (IDS) in accordance with the duty of disclosure under 37 C.F.R. §1.56, §1.97-1.98. In this IDS Applicant inadvertently and incorrectly cited what Applicant believed was a copending and commonly assigned patent application to the Examiner's attention. This document was identified in the Information Disclosure Statement as U.S. Patent Application No. 10/629,565 to SEO et al., entitled "Media Processing Device Using an External Storage Device", filed on July 30, 2003 (hereinafter referred to as the '565 document). In

accordance with 37 C.F.R. §1.98(a)(2)(iii), a copy of the '565 document was attached to
the Information Disclosure Statement.

COPY

Subsequently, Applicant's representative discovered that the '565 document was not commonly owned with present application. The present application is assigned to the Nextway Co. Ltd.; and the '565 document is assigned to a different company. Thus it is respectfully requested that the IDS citing the '565 document and the '565 document both be expunged from the file of Application No. 10/617,763.

The Manual of Patent Examination and Procedure (MPEP) sets forth in section 724.05(II) that a petition to expunge may be filed provided that:

- (A) the Office can effect such return prior to the issuance of any patent on the application in issue;
- (B) it is stated that the information submitted was unintentionally submitted and the failure to obtain its return would cause irreparable harm to the party who submitted the information or to the party in interest on whose behalf the information was submitted;
- (C) the information has not otherwise been made public;
- (D) there is a commitment on the part of the petitioner to retain such information for the period of any patent with regard to which such information is submitted;
- (E) it is established to the satisfaction of the Commissioner that the information to be returned is not material information under 37 CFR 1.56; and
- (F) the petition fee as set forth in 37 CFR 1.17(h) is included.

In compliance with 37 C.F.R. § 1.59(b) and MPEP 724.05, Applicant hereby notes that present application was on filed July 14, 2003. The present application has not received an Official Action as of the date of this petition and thus it is respectfully asserted that the Office can effect return of the document prior to the issuance of any patent on this application.

Further, as noted above, the information contained in the copy of '565 document was submitted unintentionally. The document was believed at the time of filing the IDS to have been commonly assigned. However, the document is in fact not commonly assigned. The error occurred based on an improper database search.

The failure to expunge the document and obtain its return would cause irreparable harm to the Applicant. In this regard, the document has been incorrectly characterized as commonly assigned when in fact it is assigned to another company. This statement in the IDS is inaccurate and the attachment of the '565 document is furthermore not proper. Failure to remove both the IDS and '565 document could confuse the ownership of each of the applications and may result in disclosure of confidential information.

Furthermore, to the best of Applicant's knowledge the information (i.e., the '565 document) has not otherwise been made public.

Petitioner hereby commits to retain the information of both the '565 document and IDS for the period of any patent with regard to which such information was submitted.

The information that is contained in both IDS and the '565 document are not material information under 37 CFR 1.56. The information is not a publication, is not commonly invented or assigned, and thus, is not prior art to the present application.

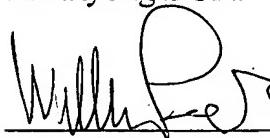
Finally, Applicant hereby includes the petition fee as set forth in 37 CFR 1.17(h).

According Applicant respectfully requests that the above-noted material be expunged from the application file and returned to the undersigned.

If there should be any questions, the Examiner is invited to contact the undersigned
at the telephone number listed below.

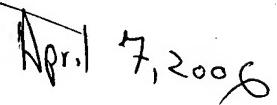
COPY

Respectfully submitted,
Jae-Ryong BUM



William Pieprz
Reg. No. 33630

Bruce H. Bernstein
Reg. No. 29,027


Apr. 7, 2006

January 7, 2004
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

P23955.A08



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jae-Ryong BUM

Group Art Unit : 2641

Appl. No. : 10/617,763

Examiner : Not Yet

Assigned
Filed : July 14, 2003

Confirmation No.: 4038

For : HOST PROCESSING DEVICE USING EXTERNAL STORAGE
MEDIUM

COVER LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir :

On January 7, 2004, Applicant filed a Petition to Expunge Information Unintentionally Submitted in Application Under 37 C.F.R. 1.59. In the Petition, Applicant noted that an Information Disclosure Statement was filed, and that Applicant inadvertently and incorrectly cited what Applicant believed was a co-pending and commonly assigned patent application to the Examiner's attention. The requested fee was also submitted.

However, a review of the Patent Office database indicates that the above noted document is not of record therein. Accordingly, Applicant attaches hereto a copy of the Petition to Expunge Information Disclosure Statement together with our date-stamped mailroom receipt evidencing the filing of the same on the above noted date.

Applicant respectfully requests that the Examiner review the Petition and approve the expunging of the requested information.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,
Jae-Ryong BUM



Bruce H. Bernstein
Reg. No. 29,027



William Pieprz
Reg. No. 33,630

April 6, 2006
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191



GREENBLUM & BERNSTEIN, P.L.C.
Intellectual Property Causes
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

COPY

1/07/2004

File In: Mailroom

The Patent Office Date stamp hereon is an acknowledgement that, on the date indicated, the Patent Office received the following:

(x) Petition Ex-Purge information UNintentionally Submitted in Application under 37 C.F.R. 1.59(b)? MPEP 734.05(ii)

- | | |
|---|---|
| () Amendment _____ | () Claim of Priority & Certified Copy of _____ |
| () Executed Assignment and cover letter
() by facsimile | () Declaration () Supplemental
() New () Unexecuted
() Executed by facsimile |
| () Executed S.E.S. () S.E.S. Assertion | |
| () Req. for Ext. of Time | |
| () Fee Filing () | () Transmittal Letter |
| Recording () | () Patent Application |
| Issue () | () Provisional () Reexam |
| Extension () | () Reissue () Design |
| | () Continuation () CIP |
| | _____ pages (w/abstract) |
| () Fee Transmittal | _____ claims _____ independent |
| () Maintenance Fee Payment | _____ sheets of drawings |
| () PTOL-85B Issue Fee | _____ figures |
| () Letter to Draftsman | () I.D.S. form PTO-1449 & |
| () Design Patent Application Transmittal | References () as attached |
| () Utility Patent Application Transmittal | () as listed on reverse |
| () Provisional Application Cover Sheet | () One self-addressed postcard |
| () Continued Prosecution Application | () Certification under 1.97(e) |
| (CPA) Request Transmittal | () Certificate of Mailing (C-0-M) |
| () Request for Continued Examination (RCE)
including Submission | () Returned Envelope |
| () Cover Letter | |
| (X) Check No. 48382 for \$ 130.00 | |
| () Rule 53b and 53f Letter for
Unexecuted Application | |

In the matter of : HOST PROCESSING DEVICE USING AN EXTERNAL STORAGE MEDIA

Applicant : Jae-Ryong BUM

Application No. : 10/617,763

Filed : 7/14/2003

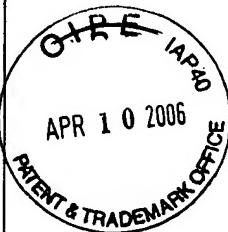
Patent No.

Issued :

Docket : P23955 VCE

OUR REFERENCE NUMBER	YOUR INVOICE NUMBER	INVOICE DATE	INVOICE AMOUNT	AMOUNT PAID	DISCOUNT	NET AMOUNT
	Petitions to the Commissioner, unless otherwise specified (122)				COPY	

File # : P23955



GREENBLUM & BERNSTEIN, P.L.C.

48383

PTO ACCOUNT

1950 ROLAND CLARKE PLACE
RESTON, VA 20191
(703) 716-1191

BANK OF AMERICA
02992 VA

68-1-510

AMOUNT

DATE

CONTROL NO.

January 7, 2004 \$ 130.00

PAWE Hundred Thirty and 00/100 Dollars
TO THE COMMISSIONER OF PATENTS AND TRADEMARKS
ORDER OF

VOID AFTER 120 DAYS

048383 05100001? 000026912101